

REMARKS/ARGUMENTS

Claims 1-9 and 12-19 remain in this application. Claims 1, 12, and 15-18 have been amended. Claims 20-21 have been cancelled by this amendment. Claims 10, 11 and 22-27 had been cancelled by a previous amendment.

Claims 15-18 are objected to because of the following informalities: Claims 15-18 each include the phrase “any one of” in the preamble. This phrase appears to be superfluous and/or renders the claims grammatically incorrect.

Claims 15-18 have been amended to delete the phrase “any one of”.

Claim 20 is objected to because of the following informalities: Claim 20 recites precisely the same limitations as claim 6.

Claim 20 has been cancelled.

Claims 1-6, 9, 12-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Publication No. US2004/0086245 A1 to Farroni et al (hereinafter “Farroni”).

Independent claims 1 and 12 have been amended to include the language of the original claim 21. Claim 1 now specifies that the fiber core exhibits a ratio of saturated index change at 1550 nm in the absence of hydrogen loading to numerical aperture is at least about 9.0×10^{-2} . This feature is not disclosed by the Farroni reference. Claims 2-6, 9, and 19 depend from claim 1 as their base claim and, therefore, expressly incorporate the language of claim 1. Similarly, claims 13-18 depend from claim 12 as their base claim and, therefore, expressly incorporate the language of claim 12. Accordingly, claims 1-

6, 9, 12-29 are not anticipated by the Farroni reference (Publication No. US2004/0086245 A1).

Claims 7-8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farroni as applied to claims 1-6, 9, 12-18, and 20 above, and further in view of Patent No. 5,881,197 to Dong et al (hereinafter "Dong").

The Dong reference, col.2, lns 13-18 discusses problems associated with a laser fiber i.e., an Er/Yb doped fiber. It states that "erbium/ytterbium fibre has a disadvantage that usable gratings can only be written in such fibers with hydrogenation, which although efficient, makes the writing more difficult, and reduces the laser efficiency by introducing a background pump absorbtion." The Dng reference does not mention or imply the presence of any problems associated with any other kind of fiber (non Er/Yb doped). Col. 2, lns 40-45 of the Dong reference explicitly specify that "the object of the invention is to provide a fiber which allows a strong grating to be written to provide an efficient laser". Again, the dong reference is not trying to address, nor addresses any concerns associated with non-laser fibers.

The Faroni reference does not describe laser fibers and does not mention any problems associated with laser fibers, nor with hydrogenation. Thus, the cited art, itself, provides no incentive for the combination, suggested by the Examiner.

Furthermore, in the amended claim 1 (these claims now incorporate the subject matter of the original claim 21) Applicants do not call for just any optical fiber. Applicant's call for an optical fiber comprising a core comprising silica, wherein the core exhibits a ratio of saturated index change at 1550 nm in the absence of hydrogen loading to numerical aperture is at least about 9.0×10^{-2} .

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Neither of the two cited references discloses or suggests this describes this ratio of saturated index change at 1550 nm to numerical aperture. Therefore, because the two references, in combination, do not disclose all of the features claimed in claims 1, Claim 1 is not obvious over the two cited references. Claims 7 and 8 depend from Claim 1 as their independent claim and, thus, expressly incorporate the language of Claim 1. Thus Claims 7 and 8 are also not obvious over the cited references.

Conclusion

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should applicant be in error, applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Svetlana Z. Short at 607-974-0412.

Respectfully submitted,

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